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CAPSULE SUMMARY OF RECENT NOTABLE
LEGISLATIVE DEVELOPMENTS RELATING TO
INTELLIGENCE AND SECURITY

I. ENACTED LAWS

85-3199
SEP 10 1985
100-13

Foreign Relations Authorization Act for FY 1986 and 1987 (State
Authorization) (P.L. 99-93)

- Strengthens Department of State authority to control privileges granted to foreign missions in the United States (Sec. 127)
- Prohibits "to the maximum extent practicable" employment of Soviet citizens as foreign national employees at U.S. missions in the Soviet Union after September 30, 1986 (Sec. 136) (modified Courter Amendment)
- Extends U.S. system for restrictions on foreign missions to apply to (a) U.N.-affiliated individuals while outside the U.N. Headquarters District, and (b) U.N. Secretariat personnel (Sec. 141) (modified Roth Amendment)
- Requires a study and report to Congress on Soviet and communist disinformation and press manipulation (Sec. 147)
- Requires Secretary of State not to allow the Soviets to occupy the Mt. Alto complex chancery building or any other new D.C. area facility until the Soviets reimburse the U.S. for damages incurred as a result of the construction of the new U.S. Embassy in Moscow (Sec. 154)
- Establishes "policy of the Congress" of U.S. Soviet diplomatic equivalence and reciprocity (Sec. 813) (modified Leahy-Cohen amendment)

International Security and Development Cooperation Act of 1985 (Foreign Aid
Authorization) (P.L. 99-83)

- Makes Secretary of State responsible for coordinating all U.S. anti-terrorism assistance to foreign countries (Sec. 502)
- Permits U.S. training and assistance to law enforcement agencies of Costa Rica, Honduras and El Salvador under certain conditions (Sec. 711)
- Authorizes appropriation of \$27 million in humanitarian assistance to the Nicaraguan democratic resistance, subject to certain restrictions (Sec. 722)
- Repeals "Clark Amendment" prohibition on support for paramilitary activities in Angola (Sec. 811)

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Supplemental Appropriations Act, 1985 (P.L. 99-88)

- Appropriates \$27 million for humanitarian assistance to the Nicaraguan democratic resistance
- Appropriates \$35 million to DCI for enhanced security and countermeasures capabilities

II. BILLS THROUGH CONFERENCE

Department of Defense Authorization Act, 1985 (Conference Report adopted by ~~94-333~~ 99-235) (H.Rept. 99-235)

- Transfers security suitability investigation and clearance responsibilities with respect to DOD civilian employees from OPM to DOD, subject to Presidential authority to direct that the transfer not occur (Sec. 503)
- Provides for death penalty for espionage under the Uniform Code of Military Justice (Sec. 534)
- Requires Secretary of Defense to submit to Congress a plan for a pilot program for exchange visits by U.S. and Soviet high-ranking military and civilian personnel (Sec. 1005)
- Establishes expanded counterintelligence polygraph program in Department of Defense (Sec. 1221)(modified Young Amendment)
- Requires substantial reduction in DOD Top Secret clearance reinvestigation backlog (Sec. 1222)
- Provides for transition to two-year DOD budget cycle (Sec. 1405)
- Requires Secretary of Defense to study and report to Congress on desirability of reinstating death penalty for espionage (Sec. 1439)

III. INTELLIGENCE AUTHORIZATION BILLS FOR FY 1985
(H.R. 2419 passed by House) (S. 1271 reported by Senate and on referral to four other committees until September 11, 1985)

(HOUSE)

- Prohibits intelligence agencies from providing material assistance to the Nicaraguan democratic resistance during FY 1986 (H.R. 2419, Sec. 105)
- Requires prior notice to congressional intelligence committees of major covert arms transfers (H.R. 2419, Sec. 401)

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- Requires DCI to review and evaluate the vulnerability of confidential U.S. activities abroad to foreign powers intelligence efforts and to report thereon to congressional intelligence committees (H.R. 2419, Sec. 402)

(SENATE)

- Authorizes Executive Branch to waive certain impediments to naturalization of up to 15 defectors per fiscal year (S. 1271 as reported by SSCI, Sec. 501) (currently under consideration by Senate Judiciary Committee on referral)
- Authorizes DOD to use proceeds of counterintelligence operations to offset costs of such operations (S. 1271 as reported by SSCI, Sec. 601)
- Authorizes one-and-a-half year's retirement credit for CIA Retirement System participants for one year's service at an unhealthful post (S. 1271 as reported by SSCI, Sec. 602)
- Raises DCI position to Executive Level I and DDCI position to Executive Level II (S. 1271 as reported by SSCI, Sec. 603)
- Requires Secretary of State to apply Foreign Missions Act restrictions to U.N. Secretariat seconded personnel (S. 1271 as reported by SSCI, Sec. 604) (Roth Amendment)
- Establishes U.S. policy of U.S. and Soviet diplomatic equivalence and reciprocity (S. 1271 as reported by SSCI, Sec. 701) (Leahy-Cohen Amendment)
- Provides for DOD, OPM, and CIA access to federal, state and local criminal history records for security clearance investigations (amendment to S. 1271 on referral adopted by Senate Armed Services Committee)